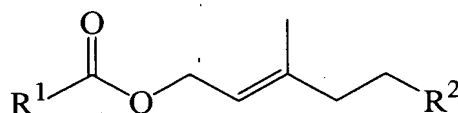


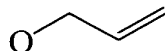
### REMARKS

Claims 1-10, pending in this application, are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,668,102 to Severns *et al.*, which, the Examiner states, teaches a compound that embraces the instantly claimed compound. In particular, the Examiner states that, when  $n = 1$ ;  $R = C_1-C_4$  straight or branched alkyl or an aryl group;  $R'_2 = \text{hydrogen}$ ;  $R''_2 = \text{straight or branched alkenyl}$ ; and  $R'''_3 = 4$  carbon straight or branched alkyl, the Severns compound reads on the instantly claimed compound. Applicant respectfully traverses the rejection and the Examiner's assertions.

Severns concerns exclusively an "ester of a non-allylic alcohol" (col. 2, line 38), while the present application concerns exclusively an "ester of an allylic alcohol." The technical feature of an "allylic alcohol" is specifically shown in the claims, and more precisely in formula (I):



Indeed, an allylic alcohol is defined as being an alcohol having the fragment:



In other words, it has an oxygen atom separated from a carbon-carbon double bond by exactly one carbon atom. Such a definition is well known in the art and can be found in any basic manual of chemistry or chemical nomenclature. Thus, although the Examiner states that the presently claimed compounds do not recite allylic alcohol, this statement is incorrect, since the claimed structure actually defines esters of an allylic alcohols, and this is well known to a person of ordinary skill in the art.

The Examiner further states that, since the Severns compounds are the same as that instantly claimed, they would inherently possess the ability to render their own fruity-green odor. As explained above, however, the Severns compounds are not the same as the present invention. Rather than being a perfume, they are actually described as being capable of generating other compounds that are themselves odorant. Therefore, the present invention possesses odor properties and uses that are patentably distinct from the ones taught by Severns.

Because the compounds of the present formula (I) define chemical compounds that are entirely different from those disclosed in Severns, i.e., the invention reciting allylic alcohols and the prior art disclosing esters of non-allylic alcohols, the prior art does not anticipate the present claims. Furthermore, due to the significantly different odor properties and uses of the presently claimed compounds, Severns cannot render those claims obvious. Accordingly, Applicant respectfully requests that this rejection be withdrawn.


Finally, Applicant also submits herewith two references cited on a European Search Report. As these references relate only to the technical background of the application, they are not material to the patentability of the present claims.

In view of the above, the entire application is believed to be in condition for allowance, early notification of such would be appreciated. Should the Examiner not agree, a personal or telephonic interview is respectfully requested to discuss any remaining issues in order to expedite the eventual allowance of the claims.

Respectfully submitted,

Date

12/11/03

  
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